

1 AN ACT in relation to transportation.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Regional Transportation Authority Act is
5 amended by changing Section 2.18 as follows:

6 (70 ILCS 3615/2.18) (from Ch. 111 2/3, par. 702.18)

7 Sec. 2.18. Labor Contracts.

8 (a) The Authority shall deal with and enter into written
9 contracts with employees of the Authority, through accredited
10 representatives of such employees authorized to act for such
11 employees concerning wages, salaries, hours, working
12 conditions, and pension or retirement provisions. Nothing in
13 this Act shall be construed, however, to permit hours of
14 labor in excess of those prohibited by law or to permit
15 working conditions prohibited by law.

16 (b) Whenever the Authority acquires the public
17 transportation facilities of a transportation agency, either
18 in proceeding by eminent domain or otherwise, and operates
19 such facilities, all employees actively engaged in the
20 operation thereof shall be transferred to and appointed as
21 employees of the Authority, subject to all the rights and
22 benefits of Sections 2.15 through 2.19, and the Authority
23 shall assume and observe all applicable labor contracts and
24 pension obligations. These employees shall be given seniority
25 credit and sick leave, vacation, insurance, and pension
26 credits in accordance with the records or labor agreements
27 from the acquired transportation system. Members and
28 beneficiaries of any pension or retirement system or other
29 benefits established by the acquired transportation system
30 shall continue to have rights, privileges, benefits,
31 obligations and status with respect to such established

1 system. The Authority shall assume the obligations of any
2 transportation system acquired by it with regard to wages,
3 salaries, hours, working conditions, sick leave, health and
4 welfare and pension or retirement provisions for these
5 employees. The Authority and the employees, through their
6 representatives for collective bargaining purposes, shall
7 take whatever action may be necessary to have pension trust
8 funds presently under the joint control of such
9 Transportation Agency and the participating employees through
10 their representatives transferred to the trust funds to be
11 established, maintained, and administered jointly by the
12 Authority and the participating employees through their
13 representatives.

14 (c) Whenever the Authority shall take any of the actions
15 specified in Section 2.16 (c), it shall do so only after
16 meeting the requirements of Section 2.16, and in addition,
17 whenever the Authority shall acquire and operate the public
18 transportation facilities of a transportation agency engaged
19 in the transportation of persons by railroad, it shall do so
20 only in such manner as to insure the continued applicability
21 to the railroad employees affected thereby of the provisions
22 of all federal statutes then applicable to them and a
23 continuation of their existing collective bargaining
24 agreements until the provisions of said agreements can be
25 re-negotiated by representatives of the Authority and the
26 representatives of said employees duly designated as such
27 pursuant to the terms and provisions of the Railway Labor
28 Act, as amended (45 U.S.C. 151 et seq.); provided, however,
29 that nothing in this subsection shall prevent the abandonment
30 of such facilities, or the discontinuance of such operations
31 pursuant to applicable law, or the substitution of other
32 operations or facilities for such operations or facilities,
33 whether by merger, consolidation, coordination or otherwise.
34 In the event new or supplemental operations or facilities are

1 substituted therefor, the provisions of Section 2.19 shall be
2 applicable, and all questions concerning the selection of
3 forces to perform the work of such new or supplemental
4 facilities or operations, and whether the Authority shall be
5 required to insure the continued applicability of the federal
6 statutes applicable to such employees shall be negotiated
7 and, if necessary, arbitrated, in accordance with the
8 procedures set forth in subsection 2.19 (a).

9 (d) (1) Employees who are in bargaining units with the
10 Suburban Bus Division shall have the opportunity to join
11 with one or more other bargaining units for the purpose
12 of negotiating a new, single collective bargaining
13 agreement applicable to the participating bargaining
14 units. The Suburban Bus Division shall recognize the
15 bargaining committee approved by the respective local
16 unions.

17 (2) Any agreement to participate in joint
18 bargaining shall be approved by each local union by a
19 majority of the local union members voting on the
20 proposition.

21 (3) It shall be the responsibility of the local
22 unions to determine the composition of the joint
23 bargaining committee and to adopt procedures for
24 bargaining. The affected local unions shall agree in
25 writing on the composition of the joint bargaining
26 committee and shall notify the Suburban Bus Division in
27 writing at least 60 but not more than 120 days before the
28 earliest of the expiration dates set forth in the
29 collective bargaining agreements covering the bargaining
30 units involved. Approval of any collective bargaining
31 agreement applicable to all participating local unions
32 shall be accomplished by majority vote of the members of
33 the participating local unions or by decision of the
34 arbitrator if interest arbitration is invoked.

1 (4) If the Suburban Bus Division and the local
2 unions bargaining jointly are unable to reach agreement
3 regarding the terms of a collective bargaining agreement,
4 the provisions of Section 2.19 of this Act shall apply,
5 except for the fact-finding and mediation provisions,
6 which may be waived by either party, and any matters in
7 dispute shall be submitted for resolution to binding
8 arbitration.

9 (5) A local union that has agreed to participate in
10 joint bargaining may withdraw only as follows:

11 (i) By majority vote of the members before
12 commencement of joint bargaining if agreement is
13 not reached among the participating local unions on
14 the composition of the bargaining committee or
15 procedures for bargaining; or

16 (ii) By majority vote of the members of the
17 local union at least 60 days before the expiration
18 of an existing joint agreement. At the expiration of
19 the joint agreement, the Suburban Bus Division
20 shall negotiate separately with any local union
21 voting to withdraw from joint bargaining.

22 (Source: P.A. 78-3rd S.S.-5.)